



09-01-05

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: IWATA
Serial No.: 10/825003
Filed: April 14, 2004
Confirmation No.: 7255
Due Date: September 5, 2005
Title: APPARATUS FOR ACTIVATING AN IONIZABLE PRODUCT

Examiner: Tuyet Thi Vo
Group Art Unit: 2821
Docket: 13425.0050US01
Notice of Allow. N/A
Date:

CERTIFICATE UNDER 37 CFR 1.10:

"Express Mail" mailing label number: EV 495844779 US

Date of Deposit: Aug 31, 2005

I hereby certify that this paper or fee is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop Amendment, Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450.

By: [Signature]
Name: David Ortiz

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

23552

PATENT TRADEMARK OFFICE

Sir:

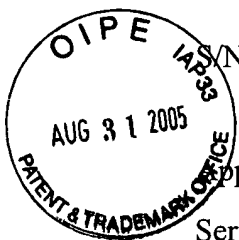
We are transmitting herewith the attached:

- ☒ Transmittal Sheet in duplicate containing Certificate of Mailing
- ☒ Supplemental Information Disclosure Statement, Form 1449, 1 Reference(s), Copy of European Search Report
- ☒ Return postcard

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

Merchant & Gould P.C.
P.O. Box 2903
Minneapolis, MN 55402-0903
612.332.5300

By: [Signature]
Name: Brian H. Batzli
Reg. No.: 32,960
BHB/ncb



S/N 10/825003

PATENT

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Applicant: IWATA Examiner: Tuyet Thi Vo
Serial No.: 10/825003 Group Art Unit: 2821
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By: 

Name: David Ortiz

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(c))

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Commissioner:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner. At least some of the references were recently cited in a European Search Report mailed August 5, 2005.

This statement should be considered because it is submitted after the mailing date of a first Office Action on-the-merits or a first Office Action after filing a Request for Continued Examination under 37 C.F.R. § 1.114 or a CPA under 37 C.F.R. § 1.53(d), but before the mailing date of: i) a final action under 37 C.F.R. § 1.113; ii) a Notice of Allowance under 37 C.F.R. § 1.311; or iii) an action that otherwise closes prosecution on the application. No fee is due as this statement is submitted as certified below under 37 C.F.R. § 1.97(e)(1) or (2) by the undersigned.

Certification Under 37 C.F.R. § 1.97(e)(1)

In accordance with 37 C.F.R. § 1.97(c) or § 1.97(d), the undersigned hereby certifies that each item of information listed on the enclosed Form 1449 was first cited in a communication from a foreign patent office in a counterpart foreign application within three months of filing this statement.

Certification Under 37 C.F.R. § 1.704(d)

In accordance with 37 C.F.R. § 1.704(d), the undersigned hereby certifies that each item listed on the enclosed Form 1449 was cited in a communication from a foreign patent office in a counterpart application, and that this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty (30) days prior to the filing of this Information Disclosure Statement. Accordingly, no patent term adjustment is due for the filing of this Information Disclosure Statement.

A copy of any foreign patent document or "Other Document" listed on the Form 1449 is enclosed, in accordance with 37 C.F.R. § 1.98(a)(2). Because this application was filed after June 30, 2003, copies of the U.S. Patents and U.S. patent publications listed on the enclosed Form 1449 are not provided. Enclosed for the Examiner's information is a copy of the European Search Report. Applicant(s) note(s) reference(s) 6,374,511 B1 also listed in the search report was/were previously cited to or by the Examiner.

A concise explanation of the relevance of each non-English language document or other information is as follows (37 C.F.R. § 1.98(a)(3)):

An English abstract has been provided for the Japanese reference.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

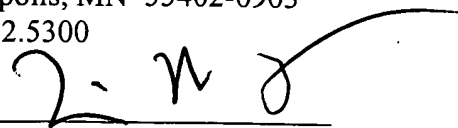
Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.



Respectfully submitted,

MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, MN 55402-0903
(612)332.5300

Dated: 31 August 2005

By: 
Brian H. Batzli
Reg. No.: 32,960

BHB/ncb

Date Mailed: August 31, 2005

Sheet 1 of 1

FORM 1449*

INFORMATION DISCLOSURE STATEMENT

IN AN APPLICATION

(Use several sheets if necessary)

Docket Number:

13425.0050US01

Application Number:

10/825003

Applicant: IWATA

Filing Date: April 14, 2004

Group Art Unit: 2821



U.S. PATENT DOCUMENTS

EXAMINER - INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	6,146,462	11-2000	Yializis et al.			
	6,351,075 B1	02-2002	Barankova et al.			
	4,734,621	03-1988	Yonnet et al.			

FOREIGN PATENT DOCUMENTS

	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	61 222533	10-1986	Japan			Abstract	

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

23552

PATENT TRADEMARK OFFICE

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.